

which it was sold, in that each heaping teaspoonful, 1 dram, of said article was represented to contain 1 grain of caffeine citrated, whereas the article contained no caffeine citrated.

Misbranding was alleged for the reason that the statement, "Each heaping teaspoonful one drachm contains * * * one grain of caffeine citrated", was false and misleading, since the article contained no caffeine citrated.

On October 24, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20167. Adulteration and misbranding of nitroglycerin compound tablets. U.S. v. 17,000 Tablets of Nitroglycerin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28269. I.S. No. 43253. S. No. 6142.)

This action involved a shipment of nitroglycerin compound tablets, which were represented to contain in each tablet 1/100 grain of glonoin. (Glonoin is a synonym for nitroglycerin.) Samples examined were found to contain approximately one-fifth as much nitroglycerin as represented.

On May 2, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 17,000 nitroglycerin compound tablets at Lockport, N.Y., consigned by L. H. Studebaker, Erie, Pa., alleging that the article had been shipped in interstate commerce January 15, 1932, from Erie, Pa., to Lockport, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, "Tablets Nitroglycerine * * * Glonin 1-100 gr."

Misbranding was alleged for the reason that the statement on the label, "Tablets Nitroglycerine * * * Glonin 1-100 gr.", was false and misleading.

On October 31, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20168. Misbranding of Arium. U.S. v. 10 Boxes of Arium. Default decree of condemnation and destruction. (F. & D. No. 28925. Sample No. 2739-A.)

This case involved a product represented to be radium in tablet form, which was found to consist of radium and strychnine. It was claimed for the article in the labeling that it would produce beneficial effects, whereas if taken according to directions, it might be dangerous to the health of the consumer.

On September 17, 1932, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 boxes of Arium, remaining in the original unbroken packages as Sioux City, Iowa, alleging that the article had been shipped in interstate commerce, in part on or about January 22, 1930, and in part on or about March 3, 1930, by Fuller-Morrison Co., from Chicago, Ill., to Sioux City, Iowa, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed the tablets contained in each, 2.6 millimicrograms of radium and 0.02 milligram of strychnine.

It was alleged in the libel that the article was misbranded in that the statement on the label, "Radium in Tablets", was false and misleading, since it also contained strychnine. Misbranding was alleged for the further reason that the following statements on the label, regarding the curative or therapeutic effects of the article, "Take two tablets with swallow of water before or after meals. To derive the most beneficial effects, Arium should be taken regularly and as directed. A six weeks' course is recommended", were false and fraudulent, since the impression was created that the article would prove beneficial to the user, when in fact it might have been detrimental and dangerous if taken in accordance with directions.

On November 1, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*